

Chairman Phil Mendelson

AN AMENDMENT

“Homeless Services Reform Amendment Act of 2017”

(First Reading)

November 7, 2017

(a) On page 18, line 429, paragraph (1) is amended by striking the phrase “(a-2) and (a-3) are” and inserting the phrase “(a-2), (a-3), and (a-4) are” in its place.

(b) On page 19, following line 436, a new amendatory subsection (a-4) is added to read as follows:

“(a-4) If the Mayor determines that an individual or family has an ownership interest in safe housing or is listed on a lease or occupancy agreement for safe housing, the Mayor may presume that the individual or family is not eligible for shelter, unless the individual or family provides credible evidence that it is impossible to return to such housing. This presumption shall not apply to individuals or families seeking shelter for reasons of domestic violence, sexual assault, or human trafficking. Additionally, this presumption shall not affect an individual’s or family’s eligibility for crisis intervention services, including family mediation, conflict resolution, or other family stabilization services.”.

(c) On page 19, line 437, paragraph (4) is redesignated as paragraph (2).

(d) On page 19, line 457, paragraph (5) is redesignated as paragraph (3).

(e) On page 19, line 466, paragraph (6) is redesignated as paragraph (4).

Rationale:

The purpose of this amendment is to ensure that those who have access to safe housing are not considered homeless for the purposes of accessing emergency shelter. The amendment also ensures that there are appropriate protections for those who are fleeing domestic violence, sexual assault and human trafficking.

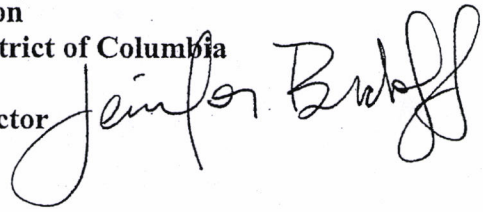
COUNCIL OF THE DISTRICT OF COLUMBIA
Office of the Budget Director



Jennifer Budoff
Budget Director

FISCAL IMPACT STATEMENT

TO: The Honorable Phil Mendelson
Chairman, Council of the District of Columbia

FROM: Jennifer Budoff, Budget Director 

DATE: November 6, 2017

SHORT TITLE: B22-293 "Homeless Services Reform Amendment Act of 2017"

TYPE: Amendment #1

REQUESTED BY: Chairman Phil Mendelson

Conclusion

This amendment does not have an impact on the District's fiscal year 2018 budget or the four-year budget and financial plan, because there is no cost associated with implementing it.

Background

This amendment would modify individuals and families' eligibility for homeless services in the Continuum of Care as specified by the "Homeless Services Reform Amendment Act of 2017." This amendment would grant the Mayor the authority to presume that an individual or family is ineligible for shelter if they have an ownership interest in safe housing or are listed on a lease or occupancy agreement for safe housing. Under D.C. Code §4-751.01(32A), the term "safe housing" refers to "housing that does not jeopardize the health, safety, or welfare of its occupants and that permits access to electricity, heat, and running water for the benefit of occupants."

The amendment specifies that the presumption of access to safe housing can be overridden if the individual or family provides credible evidence that they may not return to said residence. It would not apply if the individual or family is seeking services due to domestic violence, sexual assault, or human trafficking. Further, the presumption would not impact the individual or family's eligibility for crisis intervention services.

Analysis of Impact on Spending

This amendment would not impact spending.

Analysis of Impact on Revenue

This amendment would not impact revenues.



OFFICE OF THE GENERAL COUNSEL

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MEMORANDUM

TO: Chairman Phil Mendelson

FROM: John Hoellen, Deputy General Counsel *JH*

DATE: November 6, 2017

RE: Legal sufficiency determination for Amendment to Bill
22-293, the Homeless Services Reform Amendment Act of
2017

The measure is legally and technically sufficient for Council consideration.

The amendment makes a change to section 8 of the committee print of Bill 21-293, the Homeless Services Reform Amendment Act of 2017 ("Act"), by adding a new amendatory subsection (a-4) that permits the Mayor to presume that an individual or family that has an ownership interest in safe housing or is listed on a lease or occupancy agreement for safe housing is not eligible for shelter, unless the individual or family provides credible evidence that it is impossible to return to such housing. The presumption shall not apply to individuals or families who seek shelter for certain enumerated reasons, nor shall it affect eligibility for crisis intervention services. The amendment also makes technical corrections to the paragraph numbering in subsection (i) of the Act.

I am available if you have any questions.